

### **REMARKS**

Claims 1, 4, 9-15 and 33 are pending in this application. Claims 1 and 15 have been amended. Claim 33 has been added. Reconsideration of the claims is respectfully requested.

### **35 U.S.C. §103, Obviousness**

The Examiner has rejected claims 1, 9, 12 and 15 under 35 USC §103(a) as being unpatentable over Hegler (US Pat. No. 6,079,451) in view of Kirma (US Pat. No. 5,126,507). The Examiner has rejected claims 4, 10, 11 and 13 under 35 USC §103(a) as being unpatentable over Hegler in view of Kirma and Bartholomew (US. Pat. No. 5,566,722). This rejection is also traversed. Claims 1, 4, and 9-15 are rejected under 35 USC §103(a) as being unpatentable over Bartholomew in view of Hegler and Kirma. These rejections are respectfully traversed.

Claim 1 has been amended to recited that an inner width of each fitting portion (3) is wider than an outer width of the corresponding fitted portion (4) so that a space is formed between an inner surface of the fitting portion (3) and an outer surface of the fitted portion (4) with respect to the longitudinal direction of the housing member when the fitting portion (3) is fitted on the outer side of the fitted portion (4). Support for this limitation can be found, for example, in Figure 8.

To place the claimed housing member on the installation surface, the base (which is separated from the cover) is first placed on the installation surface. Then the elongate material, such as a cable, is housed in the base through the upper opening of the base. Finally, the cover is assembled to the base so that each fitting portion of the cover is fitted on the outer side of the corresponding fitted portion of the base.

Generally, the housing member for housing an elongate material such as a cable is placed on the installation surface in a curved manner. However, in this case, if the inner width of each fitting portion of the cover is equal to the outer width of the corresponding fitted portion of the base, it is difficult to fit the fitting portion of the cover to the corresponding fitted portion of the base that is placed on the installation surface in a curved manner.

Hegler discloses that a fitted portion is provided at the end of each convex portion on one half of the housing and that a fitting portion is provided at the end of each convex portion on another part of the housing. Hegler also discloses that each fitting portion is fitted on the outer

side of the corresponding fitted portion so as to be overlaid on each other (see Figs. 7-9). However, as shown in Figure 9, Hegler discloses that the inner width of each fitting portion is *equal to* the outer width of the corresponding fitted portion. Hegler does not disclose the claimed feature of the present invention in which the inner width of each fitting portion is *wider than* the outer width of the corresponding fitted portion so that a space is formed between the inner surface of the fitting portion and the outer surface of the fitted portion with respect to the longitudinal direction of the housing member when the fitting portion is fitted on the outer side of the fitted portion.

Kirma and Bartholomew also fail to disclose the above feature recited in the independent claims.

Claim 15 has been amended in a manner similar to claim 1, and recites similar limitations for purposes of the present discussion.

New claim 33 also recites limitations similar to claim 1 for purposes of the present discussion.

Because claims 4 and 9-14 depend from claim 1, they are distinguished from the references for the reasons explained above.

Therefore, it is respectfully asserted that the rejection of claims 1, 4, and 9-15 under 35 USC §103 has been overcome and should be withdrawn.

**CONCLUSION**

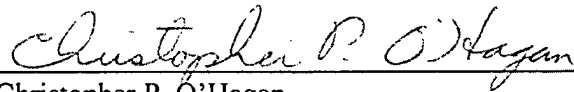
Applicant submits that all existing claims are now in a condition for allowance.

If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is invited to call Colin Cahoon at the below-listed telephone number if, in the opinion of the Examiner, such a telephone conference would expedite or aid the prosecution and examination of this application.

The Commissioner is hereby authorized to charge any payments that may be due or credit any overpayments to Carstens & Cahoon, LLP Deposit Account 50-0392.

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Respectfully submitted,



Christopher P. O'Hagan  
Registration No. 46,966  
Attorney for Applicant  
CARSTENS & CAHOON, LLP  
PO Box 802334  
Dallas, TX 75380  
(972) 367-2001  
(972) 367-2002 Fax